

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
AUGUST 19, 2003**

The regular session of the Auburn City Planning Commission was called to order on August 19, 2003 at 6:30 p.m. by Chairman Nesbitt in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Hale, Manning, McCord, Smith, Chrm. Nesbitt

COMMISSIONERS ABSENT: None.

STAFF PRESENT: Tom Fossum, Public Works Director; Reg Murray, Associate Planner; James Michaels, Assistant Planner; Gilda Lathuras, Administrative Assistant

ITEM I: CALL TO ORDER

ITEM II: PLEDGE OF ALLEGIANCE

ITEM III: APPROVAL OF MINUTES

The minutes of July 1, July 9, and July 15, 2003 were approved as amended.

ITEM IV: PUBLIC COMMENT

None

ITEM V: PUBLIC HEARING ITEMS

- A. Variance – 446 Grass Valley Highway (Apex Honda) – File VA 03-2.** The applicant requests approval of a Variance to deviate from the City's sign requirements (i.e. exceed maximum size for a freestanding sign) for Apex Honda located at 446 Grass Valley Highway. **THIS ITEM WAS CONTINUED FROM THE MEETING OF AUGUST 5, 2003. THIS ITEM IS CONTINUED TO THE MEETING OF SEPTEMBER 2, 2003.**

Comm. Hale **MOVED** to continue Item V-A, Variance to Apex Honda, to the meeting of September 2, 2003.

Comm. Manning **SECONDED**.

Approved unanimously by voice vote.

- B. Civic Design – 1101 Maidu Drive (Maidu Office Park) – File CD 03-6.** The applicant requests approval of a Civic Design to construct two (2) single-story office buildings totaling approximately 12,200 square feet.

Assistant Planner James Michaels gave the staff report. He reviewed the materials and colors proposed for the buildings, noting that they complement the surrounding residential neighborhood. He reviewed parking planned, and pointed out a City right-of-way extending along the frontage area not being utilized by the City. The developer proposes landscaping and a sidewalk for this area and staff has no objection, subject to an approved Encroachment Permit from the Public Works Department. Michaels also reviewed information that the developer has submitted regarding an arborist report and tree permit application for the project. Staff recommends approval, subject to the conditions in the staff report.

Comm. Smith questioned a condition that states the parking lot shall provide a minimum fifty percent tree canopy cover at maturity. He noted that there appeared to be no trees proposed for the southern side of the property that would shade the parking lot along Maidu Drive.

Associate Planner Murray responded that the project is conditioned to provide trees in the frontage area between the parking stalls and the roadway, and they would be provided pursuant to the conditions. Comm. Smith felt the plan he was being asked to approve should show all the trees proposed.

Comm. Hale pointed out that she noticed this also, and she found that the plans did note that landscape plans will be provided with the improvement plans. This shall happen and staff shall see that it happens.

Comm. McCord noted a concern that traffic coming off Shirland Tract Road and entering the office complex parking lot would be safer if the entrance were directly across from the Shirland Tract entrance. Planner Murray noted that this was considered when the project was reviewed by

staff and based on traffic volume, speeds and visibility, the offset of the driveway was not considered to be a problem

The public hearing was opened.

Stewart Briskin, applicant, provided the Commission with further information on the concerns expressed earlier.

Chrm. Nesbitt commented that one way to address Comm. Smith's parking lot shade concerns would be to separate the sidewalk from the street by a landscaped area where trees could be planted.

The public hearing was closed.

Comm. Hale stated she approved of the project, she liked the more muted look of the shingle roof rather than tile, and she noted that the tree cover in the parking lot will be monitored as noted in the staff report.

Comm. McCord **MOVED** to adopt the Mitigated Negative Declaration prepared for Maidu Office Park – 1101 Maidu Drive.

Comm. Hale **SECONDED**.

Chrm. Nesbitt liked the fact that extra parking was being provided. He inquired about the sewer services being provided and Public Works Director Fossum explained plant capacities and advised that there was no problem providing sewer services for this project or for future development.

AYES:	Hale, Manning, McCord, Smith, Chrm. Nesbitt
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was approved.

Comm. McCord **MOVED** to approve the Civic Design for Maidu Office Park, subject to the conditions listed in Exhibit A of the staff report.

Comm. Hale **SECONDED**.

Comm. Smith commented that if the developer chose to plant trees along the meandering sidewalk that he research what types of trees have roots

that go down rather than out and would lift the sidewalk and create a hazard.

AYES: Hale, Manning, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: None

The motion was approved.

The Chairman announced the 10-day appeal period.

C. Civic Design Amendment – 11865 Mount Vernon Road (Palm Terrace Apartments) – File CD Amend 00-7. The applicant requests a Civic Design Amendment to allow for phasing of the occupancy of the Palm Terrace Apartment complex.

Reg Murray gave the staff report. He explained the applicant's desire to phase occupancy of the complex while construction continued, and gave information on how they planned to do so. As the original approval of the project did not include a phased project there are certain requirements that have now been addressed in the conditions presented tonight. He responded to Commissioners' questions.

The public hearing was opened.

Mary Holliday-Sopko of WinnResidential, management agent for Palm Terrace Apartments, advised that they have many people who are anxious to move into the apartments as soon as possible. She stated that if occupancy was phased in there would be 48 apartments allowed to occupy in September, rather than 80 units all moving in at once in November when the remainder of the construction is expected to be completed.

Comm. Smith stated concerns about the safe route to school that the company stated would be available at this time.

The Commissioners all expressed concerns about the safety of the children walking to school from the apartments, and expressed a specific need for a crossing guard at the intersection of Palm and Nevada Streets.

Public Works Director Fossum stated that it was his understanding that crossing guard locations were arrived at between school districts, Police Department, and occasionally the Public Works Department. As this site

would be outside the school campus area, he felt it would be worked out between the school district and the developer.

Jeannie Derosé, on-site manager of the apartments, stated she was working with the school district on the problem of a safe route to school, and noted that the school bus would stop right in front of the apartments on Mt. Vernon Road.

Comm. McCord inquired whether the requirements regarding fencing, drainage swale and landscaping had been provided.

Doug Sibley, project manager for Ashwood Construction responded, assuring the Commission that the information requested was currently being gathered and would be provided before anyone moved onto the site.

Comm. Hale inquired as to what type of construction would be going on if the 48 residents were allowed to occupy the completed buildings. Sibley responded that the first phase was expected to be completed and ready for the first 48 families by September 25, 2003. The remaining buildings should be in the finishing stages, the exteriors should be sided and painted, stairs installed, and driveways and parking areas completed. The only ground work remaining would be landscaping.

Chrm. Nesbitt inquired about the anticipated completion of the remaining units, he expressed concerns that quality might be compromised if the schedule were expedited. Sibley responded that the conservative date for completion is mid-November and he saw no reason why that date could not be accomplished as everything was proceeding as planned. He assured the Commissioners that when the first phase families moved in, the uncompleted buildings would be at a stage of completion where they could be locked each night. He also noted that the 5-foot wood fence on the northern perimeter would be installed before any occupancy.

Bill Prior, nearby resident, requested that the fencing be in, the landscaping in, and the old road blacktop removed before occupancy was allowed. He has spoken to the project manager and been assured that this would be done. He also suggested that to increase safety at the intersection of Palm and Nevada Street that no painted crosswalks are put in on Nevada Street or Palm Avenue, but only across Mt. Vernon to encourage crossing only at that part of the intersection.

Norm Johnson, adjacent resident, noted concerns about the retention pond that has water in it and has not been fenced as yet. He felt the water ease-

ment installed by the City was poorly engineered, causing water to flow under the foundation of his home and possibly affecting his septic system and leach field.

Comm. Smith asked for details from staff on the water situation. Director Fossum explained that these issues have been addressed by him as well as City Manager Richardson and City Attorney Wachob, and Johnson has been advised that his only recourse at this time is to file a claim against the City as they have been unable to appease him.

Gary Panteleoni, adjacent resident, expressed concerns for the safety of children if the fence between his property and the apartment property is not constructed before occupancy.

Comm. Hale expressed concerns that the agreements between developer and the neighbors have not been presented to the City as yet.

Michael Murphy, architect, stated that no apartment occupancy should be allowed until a safe route to school has been designed and approved by a public safety officer. The children should be dissuaded from taking the shortest route to school, which is the most dangerous, by having a plan of some sort in place, and he suggested signage or volunteers.

Comm. Smith pointed out that in the Recommended Conditions of Approval from the initial approval of this project, #9 listed many items and stated: "Prior to occupancy of any of the dwelling units, the following shall be completed to the satisfaction of the Community Development Department and other applicable City Departments". He inquired of staff whether each of the items listed had been completed.

Reg Murray responded that it was his understanding that the items either had been completed or were in the process of being completed. Staff has met with WinnResidential representatives to review City Department requirements that must be met before any early occupancy would be allowed.

Mark Bledsoe, housing resource specialist at Peers, an independent living center in Auburn, stated that he was also speaking for the Placer Consortium on Homelessness and Affordable Accessible Housing and HAP, the Housing Alliance of Placer. He stated he has found WinnResidential to be a committed, responsible group to work with; he wanted to point out the large number of families in our area who were in need of affordable housing. He wanted to state support for the Commissioners in approving the early

move-in date so that the much needed units can be occupied as soon as possible.

Rochelle Reynolds spoke to agree with the need for a safe route to school, she stated there is a safety patrol officer who works with the nearby middle school, and there will be safety information packets supplied to all the new residents.

The public hearing was closed.

Comm. McCord stated she felt the request was premature and that a safety report was needed before early occupancy was allowed. She would like more assurance that the fence and landscaping would be in before any occupancy. She has concerns for public safety until the site is more secure.

Planner Murray reiterated that the items listed in the conditions of approval will have to be completed before any occupancy will be allowed.

Comm. Manning stated his main concern was the condition requiring the providing of a safe route to school, he felt it should also include requiring adult supervision as a condition of this early move-in.

Director Fossum gave additional information from the CalTrans Traffic Manual where it states that a lot of responsibility is put on the school district to establish what the routes are, they then work with the local agencies, i.e. Public Works Engineering Department, relative to traffic safety issues, and with the local Police Department to determine the best strategies for providing safe routes to school.

Comm. McCord **MOVED** to amend Condition 9.o. to read:

“The “Safe Route to School” program shall be reviewed by the Auburn Police Department and shall implement the provisions of Sec. 10 of the CalTrans Traffic Manual.”

Comm. Manning **SECONDED**.

The motion was approved unanimously by voice vote.

Comm. Smith **MOVED** to approve Civic Design Amendment CD Amend 00-7 to allow for phasing of the occupancy of the Palm Terrace Apartment complex subject to the conditions listed in Exhibit “A” of the staff report as modified by the Planning Commission.

AYES: Hale, Manning, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: None

The motion was approved.

The Chairman announced the 10-day appeal period.

The Chairman called for a five-minute break.

The meeting reconvened at 8:25 p.m.

ITEM VI: ARCHITECTURAL DIRECTION – 660 AUBURN FOLSOM ROAD (SKYRIDGE COURTYARD) – FILE CD 03-7.

The applicant requests direction from the Planning Commission to address architectural design options for the Skyridge Courtyard development proposed at the southwest corner of Auburn Folsom Road and Herdal Drive.

Reg Murray reviewed this proposal, he further described the western architectural style proposed, advising that staff felt might not be appropriate for the location. The applicant has now offered three additional architectural styles, California Mission, Foothill Craftsman, and Utilitarian, and would like direction from the Commission.

The public hearing was opened.

Robert Grossman, applicant, stated he would like a consensus from the Commission regarding their preference of the styles presented tonight.

Michael Murphy, architect, stated his feeling that this request for direction was very helpful for all involved and he would like to see it done more often in the future. He would also like to see guidelines made available to designers in the future, and noted that his preference was for the California Mission style.

Comm. McCord stated her preference for the Foothill Craftsman style.

Chrm. Nesbitt also liked Craftsman, but had concerns about setting a precedent that would get away from some landmark design standards.

Comm. Manning felt the neighborhood called for the Mission style.

Comm. Hale felt the Mission style fit in best, but felt the many arches in front were too repetitive. She also felt that the addition of a long tile roof overhang on the east and west sides would be a good feature.

Chrm. Nesbitt, Commissioners Smith and McCord preferred the Craftsman style. Comm. Hale preferred Mission, she felt Craftsman style did not fit in the neighborhood, Comm. Manning agreed.

B. Circulation Element Amendments and Implementation. Planning Commission to consider making recommendations to the City Council to amend and implement the Circulation Element of the General Plan.

Associate Planner Murray stated this item is a follow-up to the recent special study session. He reviewed the information submitted by staff for the Commissioners consideration: Alternate street standards to permit separated sidewalks with optional street trees or landscape strips; possible assessment districts for new developments to offset the cost of city maintenance of new landscape strips and street trees; update Circulation Element of General Plan; adopt a citywide traffic mitigation fee program.

Comm. McCord felt that separated sidewalks were acceptable on flat land, but on the Auburn terrain they would require additional grading and she was not in favor of that. She also was not in favor of trying to tell the City Council what to do.

Comm. Manning noted that the street trees would not be mandated, they would be permitted when it makes sense to have street trees.

Planner Murray pointed out that if the standards are modified to include separated sidewalks, street tree standards, etc., the intent would be to afford the City the opportunity to determine if the site was appropriate to incorporate one or more of these features. If the site were determined to be appropriate, it could then be required. Currently this is not in the City standards so the Commission can not impose these requirements on a developer.

Comm. McCord had concerns about the potential cost to the City. Director Fossum advised that if the Council directs staff to move forward the costs would be developed and at that time and the Council would then decide whether they wanted to proceed.

Comm. Manning inquired whether there was enough build able land or infill land remaining to warrant this action. Director Fossum noted that the one major undeveloped area at this time is the Baltimore Ravine area, consisting of over 400 acres.

Chrm. Nesbitt noted that there would be areas where there would be no room for street trees or a landscape strip; the place to start would be with establishing street standards.

Comm. Smith **MOVED** to recommend:

- A. That the City Council initiate an amendment to the Circulation Element and related ordinance amendment for alternate street standards to permit separated sidewalks, to include option street trees or landscape strips;
- B. That the City Council initiate necessary amendments to the General Plan and related ordinances so that an assessment district can be required for new developments to offset the cost of city maintenance of new landscape strips and street trees;
- C. That the City Council direct staff to update the Circulation Element of the General Plan as time and funding permits;
- D. That the City Council adopt a citywide traffic mitigation fee program.

Chrm. Nesbitt **SECONDED** for further discussion.

Comm. Hale addressed item B., she asked if a new assessment district would exist only where street trees were in place. Director Fossum responded affirmatively, the district would be specific to an area where they had been installed.

Comm. McCord stated that she was not in favor of the establishment of such a district, she referred to a lighting and landscape district that was attempted previously with a disapproving result from the public.

Chrm. Nesbitt pointed out that that lighting and landscape district was an assessment being implemented on existing residents, and what is being considered here would be assessed only on new development.

Comm. McCord noted the problems that exist currently in areas where street trees were required years ago, now the tree roots were destroying the sidewalks and residents could find no recourse from the City, she felt what

they were discussing could result in the same situation in the future. She also noted that she did not object to a traffic mitigation fee program because it would be City wide. She felt it should be under a capital improvement program listing exactly what the money would be used for, and not a general unspecified fee.

Director Fossum added that a traffic mitigation fee would have to have a capital improvement plan associated with it with specific projects and locations identified with those costs that would then be spread among all the fees that are collected.

Comm. Hale asked if this would require a vote of the people; Fossum responded that would have to be taken up with the City Attorney.

Comm. McCord reiterated that she was very uncomfortable with telling the Council what to do even though this is being called a "recommendation". She felt this was being done so that if the items come back to the Commission for implementing, they would be stronger because of the Council recommendation, and having previously been on the Council she resented being used in this manner.

The vote on the motion:

AYES: Hale, Manning, Smith, Chrm. Nesbitt

NOES: McCord

ABSTAIN: None

ABSENT: None

The motion was approved.

COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

A. City Council Meetings

Planner Murray reviewed the last City Council meeting where the Apex Honda appeal of the Planning Commission's decision was denied and they were directed to comply with the conditions approved by the Commission.

B. Future Planning Commission Meetings

On September 2, 2003 the Commission will be re-hearing the Apex Honda Use Permit Amendment and Sign Variance.

C. Reports

At the request of Comm. Hale, Planner Murray gave an update of the 76 Station on Grass Valley Highway.

ITEM VII: PLANNING COMMISSION REPORTS

None.

ITEM VIII: FUTURE PLANNING COMMISSION AGENDA ITEMS

None.

ITEM IX: ADJOURNMENT

The meeting was adjourned at approximately 9:36 p.m.

Respectfully submitted,

Janet Elaine Ferro, Administrative Secretary